IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

WP(C).No. 29630 of 2007(B)

PETITIONER:

IBRAHIM KUTTY, S/O. BAVA,
MANKADAVATH HOUSE, ANANTHAVUR POST, TIRUNAVAYA,
MALAPPURAM DISTRICT.

BY ADV. SRI.T.KRISHNAN UNNI
SRIC.M.MOHAMMED IQUABAL

RESPONDENTS:

THE VILLAGE OFFICER,
ATHAVANAD VILLAGE, MALAPPURAM DISTRICT.

BY GOVERNMENT PLEADER SRI.I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 10/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J

W.P.(C). 29630/2007

Dated this the 10th day of October, 2007

JUDGMENT

The challenge in this writ petition is against Ext.P1, which has been issued on the basis that the petitioner is engaged in illegal excavation of land. The learned counsel for the writ petitioner contends that on the basis of Ext.P1, he is not permitted to utilise his JCB even for permissible purpose. This is contradicted by the learned Government Pleader.

2. Be that as it may, I clarify that the petitioner will be entitled to utilise his JCB, for the purposes which are permissible in terms of Rules.

With this clarification, writ petition is disposed of.

ANTONY DOMINIC
Judge

mrcs